

**Remarks/Arguments**

Claims 1-5, 8-12 and 15-19 have been amended. Claims 6, 7, 13, 14, 20 and 21 have been cancelled. Claims 22-38 have been added. Enclosed herewith is Credit Card Payment Form PTO-2038 in the amount of \$456.00 in payment of the fee for the added claims. Please charge any other fees for entry of this Amendment to our Deposit Account No. 18-1644.

The Examiner has rejected applicant's claims 1-21 under 35 U.S.C. §102(b) as being anticipated by the Kato (US 5,185,669) patent.

Applicant has cancelled applicant's claims 6, 7, 13, 14, 20 and 21, thereby obviating the Examiner's rejection with respect to these claims. Applicant has amended applicant's independent claims 1, 4, 8, 11, 15 and 18, and with respect to such claims, as amended, and their respective dependent claims, the Examiner's rejection is respectfully traversed.

Applicant's independent claims 1, 4, 8, 11, 15 and 18 have been amended to better define applicant's invention. More particularly, applicant's independent claim 1 has now been amended to recite a white balance correcting circuit for correcting white balance of a picked-up image by picking up an image of first object on the basis of white balance data obtained by picking up an image of a second object and an automatic focusing circuit having a plurality of distance measuring points on an image picking-up plane and arranged to automatically perform a focusing operation while using the plurality of distance measuring points. Amended claim 1 further recites a control circuit for, when picking up the image of the second object, controlling the operation of the automatic focusing circuit so that the automatic focusing circuit automatically performs a focusing operation by using at least one measuring point and without using at least one distance measuring point in the plurality of distance measuring points. Applicant's independent claims 8 and 15 have been similarly amended.

Applicant's independent claim 4 has been amended to recite a white balance correcting circuit for correcting white balance of a picked-up image by picking up an image of first object on the basis of white balance data obtained by picking up an image of a second object and an automatic focusing circuit arranged to automatically perform a focusing operation. Amended claim 4 further recites a control circuit for picking up the image of the second object without operating the automatic focusing circuit, when picking up the image of the second object while a mode in which the focusing operation is automatically performed is set up. Applicant's independent claims 11 and 18 have been similarly amended.

The constructions recited in applicant's independent claims 1, 4, 8, 11, 15 and 18, and their respective dependent claims, are not taught or suggested by the cited art of record. More particularly, the Examiner has argued with respect to applicant's claims 1, 8 and 15 that the Kato patent discloses an automatic focusing mechanism (Column 1, Lines 10-14), a CPU as a control means for automatic focusing control (Figure 4 and 5; Column 10, lines 20-29, Column 12, Lines 57-62) and an automatic focusing system having a plurality of distance measuring points on an image picking-up plane and arranged to automatically perform a focusing operation of a picked-up image signal while using the plurality of distance measuring points (Column 9, Lines 41-66). The Examiner has further argued with respect to applicant's claims 4, 11 and 18 that the Kato patent discloses a control means for, when picking up an image of the predetermined object as to obtain white balance data to be used for said white balance correcting means (Column 12, Lines 57-62), inhibiting the operation of said automatic focusing mechanism (Column 10, Lines 30-44) in order to increase battery life.

Applicant has reviewed the Figures and passages cited by the Examiner, and submits that they do not teach or suggest the features of applicant's invention as presently claimed.

Thus, the Kato patent does not teach or suggest a white balance correcting circuit for correcting white balance of a picked-up image by picking up an image of a first object on the basis of white balance data obtained by picking up an image of a second object and a control circuit for, when picking up the image of the second object, controlling the operation of the automatic focusing circuit so that the automatic focusing circuit automatically performs a focusing operation by using at least one measuring point and without using at least one distance measuring point in the plurality of distance measuring points.

Instead, Kato merely teaches that data from a predetermined area of one picture (Col. 5, lines 7-12) is used for focus control (Col. 5, lines 30-40), that automatic focus adjustment is carried out only when the angle of view is adjusted (Col. 10, lines 30-44), that the focusing position is corrected using automatic focus adjustment corresponding to the change of the focal length (Col. 9, lines 59-61) and that white balance is performed only after the angle of view is adjusted (Cols. 12-14). However, nothing is mentioned in the patent about white balance correction by picking up an image of a first object based on the white balance data obtained by picking up an image of a second object, nor when picking up the image of the second object, controlling the operation of the automatic focusing circuit so that the automatic focusing circuit automatically performs a focusing operation by using at least one measuring point and without using at least one distance measuring point in the plurality of distance measuring points of the automatic focussing circuit.

Additionally, the Kato patent fails to teach or suggest a white balance correcting circuit for correcting white balance of a picked-up image by picking up an image of first object on the basis of white balance data obtained by picking up an image of a second object and a control circuit for picking up the image of the second object without operating

the automatic focusing circuit, when picking up the image of the second object while a mode in which the focusing operation is automatically performed is set up. In contrast, the Kato patent teaches (Col. 10, lines 30-44) that the automatic focus adjustment is carried out only when the angle of view is adjusted, and that in order to perform automatic focus adjustment without adjusting the angle of view, the camera man half-presses the shutter switch (Col. 10, lines 30-44), and further that white balance is automatically performed out only when the angle of view is adjusted (Cols. 12-14).

Applicant's amended independent claims 1, 4, 8, 11, 15 and 18, and their respective dependent claims, all of which recite one or more of the above features, thus patentably distinguish over the Kato patent.

Moreover, the Kato patent does not teach or suggest the features recited in applicant's newly added claims 22-38. Particularly, the Kato patent fails to teach or suggest controlling the operation of the focusing circuit when picking up an image of a second object to make a determination level with which the focusing circuit determines an in-focus state lower than that used for an image picking-up operation when picking up the image of the first object as recited in applicant's new independent claims 22, 29 and 34, and their respective dependent claims. In this regard, nothing in Column 9, line 37, through Column 10, line 8, of the Kato mentions anything about a determination level for a focusing circuit, let alone that the level be lower for a second object as compared to a first object.

The Kato patent also fails to disclose or suggest the features of applicant's newly added independent claims 23, 32 and 37, and their respective dependent claims, which recite an operation element for selecting a manual mode or a light source mode, and a white balance correcting circuit for correcting white balance of a picked-up image by picking up an image of

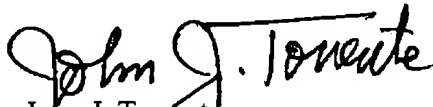
first object on the basis of white balance data obtained by picking up an image of second object as a first white balance mode, and on the basis of white balance data which has been beforehand prepared as a second white balance mode, and wherein the first white balance mode is operated according to selecting the manual mode and the second white balance mode is operated according to selecting the light source mode. Particularly, Column 13, line 63 to Column 14, line 54 of the Kato patent only disclose automatically adjusting the white balance during camera operation. Accordingly, applicant's newly added claims 22-38 patentably distinguish over the Kato patent.

In view of the above, it is submitted that applicant's claims, as amended, patentably distinguish over the cited art of record. Accordingly, reconsideration of the claims is respectfully requested.

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